

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

EXPRESS MOBILE, INC.,

Plaintiff,

v.

DROPBOX, INC.,

Defendant.

Civil Action No. 6:20-cv-806-ADA

JURY TRIAL DEMANDED

DEFENDANT’S OPPOSED MOTION FOR 15-DAY EXTENSION

Defendant Dropbox, Inc. (“Dropbox”) hereby moves for an additional 15 day extension of time, up to and including November 9, to respond to Plaintiff’s Complaint. It was previously granted a 30 day extension to respond and its response is currently due October 23. Dropbox’s request for the additional 15 day extension through and including November 9, is based on the fact that Dropbox recently retained new counsel, Sidley Austin, who need the time to investigate the allegations in the Complaint and file an appropriate response. Express Mobile has indicated it opposes this request. The parties’ correspondence concerning Dropbox’s requested extension is attached hereto as Exhibit A.

The motion should be granted because Dropbox will suffer extreme prejudice if it is not afforded the few extra days to file an appropriate response, while Plaintiff will suffer no prejudice. The 45 day total extension is presumptively reasonable under this Court’s Order Governing Proceedings Version 3.1. Moreover, in a separate case filed against Defendants Atlassian Corp. Plc and Atlassian, Inc. (Case 6:20-cv-00805), the response to the Complaint is due on December 22, and Defendant Google Inc. has recently moved for a similar extension of

time to respond to the Complaint in its case (Case 6:20-cv-00804). The case's progress will not be affected. Plaintiff opposes this extension.

For the foregoing reasons, Dropbox prays that the Court grant this motion and extend the date in which Dropbox is required to move, answer, or otherwise plead be extended up to and through November 9, 2020.

Dated: October 14, 2020

Respectfully submitted,

By: /s/ J. Stephen Ravel
J. Stephen Ravel
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CERTIFICATE OF CONFERENCE

The undersigned certifies that parties conferred on October 14, 2020 as described in Exhibit A attached hereto. The parties could not agree. The matter is, therefore, submitted to the Court for decision.

/s/ J. Stephen Ravel
J. Stephen Ravel

CERTIFICATE OF SERVICE

I hereby certify that, on October 14, 2020, all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system in accordance with Local Rule CV-5.

/s/ J. Stephen Ravel
J. Stephen Ravel